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*A GCC REPRESENTATIVE OFFICE
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March 8, 2024

VIA ECF

Honorable Loretta A. Preska
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: United States v. Selbourne Waite, No. 07-cr-00003 (LAP)

Dear Judge Preska:

We are the attorneys for Selbourne Waite. We hereby appeal for Your Honor's assistance in fulfilling your February 14, 2024, order for Mr. Waite's release on March 14, 2024, (ECF 1002), and request a Court Order for Mr. Waite's immediate placement upon release with his sister, Selena Waite-Edwards, in Durham, North Carolina.

As the Court is aware, Your Honor approved Mr. Waite's release to Mrs. Waite-Edwards, pending Probation's approval. (Resentencing Hearing, Feb. 14, 2024). Mrs. Waite-Edwards is a licensed psychologist and clinical mental health counselor, has a room for Mr. Waite in the home she owns with her husband, and a job for him at the nonprofit she founded, Building Legacies Through Literacy (assisting children struggling with literacy). (ECF 999 Ex. A at 10). This placement will significantly aid Mr. Waite's successful reentry into the community and there is no comparable alternative.

The S.D.N.Y. Probation Office has no objection to Mr. Waite residing with his sister; however, the Middle District of North Carolina Probation Office denied the request citing a lack of time to prepare, despite Your Honor's granting of a month for this purpose. (ECF 1002). They instead informed Mr. Waite that he should find somewhere to live in the Southern District.

In anticipation of this pending Order, the North Carolina and S.D.N.Y. Probation offices conducted a virtual interview of Ms. Waite-Edwards today and confirmed that Mr. Waite's father, Selbourne Waite Sr., will pick him up on March 14, 2024, and drive him to Mrs. Waite-

Duane Morris

Honorable Colleen McMahon

March 8, 2024

Page 2

Edwards in Durham. Should the Court grant our request, Probation will move forward with Mr. Waite's release to North Carolina as planned. U.S. Probation Officer Alexis Warren is assigned to Mr. Waite's Pre-Release in the S.D.N.Y. office, and her office number is (212) 805-5067 should the Court have any questions.

We therefore request a Court Order that Mr. Waite be immediately released on March 14, 2024, to reside with his sister Mrs. Waite-Edwards at her home in Durham, North Carolina. For the Court's convenience, we have included a "So Ordered" line should the Court grant our request. Thank you for your consideration.

Respectfully submitted,

/s/ Eric R. Breslin

Eric R. Breslin

cc: All Counsel of Record (Via ECF)

SO ORDERED



Honorable Loretta A. Preska, U.S.D.J.
03/08/2024